

Trans-Pacific Partnership (TPP): TPP Will Probably Become Law in U.S. Soon After November Elections. Top Lobbyist

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*Rufus Yerxa, the top lobbyist for the National Foreign Trade Council, told World Trade Online, on July 12th, that he believes [“there is enough time and congressional support to get TPP passed during a lame-duck”](#) session of Congress, **meaning the session between November 9th and January 3rd, which would be in time for U.S. President Barack Obama to sign it into U.S. law before leaving office.** (It would be done basically the way Bill Clinton deregulated Wall Street and ended AFDC — just as he exits the White House, and with overwhelming Republican support in Congress.)*

This means that [any increase in the laws and/or regulations regarding product-safety, workers’ rights, consumers’ rights, and/or the environment, will spark a slew of lawsuits by the owners of international corporations, against the U.S. government, the taxpayers, to reimburse to these stockholders what they estimate will be their resulting loss of profits on their investments.](#) These are typically multi-billion-dollar suits, and if TPP passes, the number of them will explode into the stratosphere, like a nuclear weapon against national governments — a weapon that’s owned and operated by mega-corporations (not by any government).

TPP thus would effectively lock-in the existing laws and regulations, no matter whether, for example, a certain chemical is subsequently found (by new scientific studies) to be, in fact, extremely carcinogenic, or otherwise toxic, so that any existing law or regulation regarding it is actually out-of-date.

Future historians will therefore probably record that the most crucial historical event during Obama’s Presidency, occurred [on 23 June 2015](#), when the U.S. Senate voted, just barely meeting the required 60 votes (which would have failed if *even only one* of those 60 Senators had *not* voted “Yea” on it) for “cloture,” so as to enable passage of Fast Track Trade Promotion Authority, in order for the President to be able subsequently to win passage of his mega-trade treaties, including TPP, which is now expected to happen soon after November 8th, in the most momentous act of his Presidency.

Those TPP lawsuits (as [that link](#), the second link above here, documents and explains) will be decided not by juries or any court in any country, but by a panel of three international-corporate-dependent arbitrators, who won’t be required to adhere to the laws or constitution of any country, and whose decision in each case, whatever it may turn out to be, will be final and non-appealable, in any court or other legal body.

Here are the 60 Senators who held the fate of the world in their hands on that crucial vote,

and chose on 23 June 2015 to vote to give international corporations control (regarding these crucial matters) over not only the U.S. but the 11 other TPP-signatory nations (and an asterisk * here will mean [the Senator is among the 21 who are up for re-election in 2016](#) — i.e., facing voters on November 8th):

YEAs — 60

Alexander (R-TN)
*Ayotte (R-NH)
Barrasso (R-WY)
*Bennet (D-CO)
*Blunt (R-MO)
*Boozman (R-AR)
*Burr (R-NC)
Cantwell (D-WA)
Capito (R-WV)
Carper (D-DE)
Cassidy (R-LA)
*Coats (R-IN)
Cochran (R-MS)
Coons (D-DE)
Cornyn (R-TX)
Cotton (R-AR)
*Crapo (R-ID)
Daines (R-MT)
Enzi (R-WY)
Ernst (R-IA)
Feinstein (D-CA)
Fischer (R-NE)
Flake (R-AZ)
Gardner (R-CO)
Graham (R-SC)
*Grassley (R-IA)
Hatch (R-UT)
Heitkamp (D-ND)
Heller (R-NV)
*Hoeven (R-ND)
Inhofe (R-OK)
*Isakson (R-GA)
Johnson (R-WI)
Kaine (D-VA)
*Kirk (R-IL)
*Lankford (R-OK)
*McCain (R-AZ)
McCaskill (D-MO)
McConnell (R-KY)
Moran (R-KS)
*Murkowski (R-AK)
*Murray (D-WA)
Nelson (D-FL)

Perdue (R-GA)
*Portman (R-OH)
Risch (R-ID)
Roberts (R-KS)
Rounds (R-SD)
*Rubio (R-FL)
Sasse (R-NE)
*Scott (R-SC)
Shaheen (D-NH)
Sullivan (R-AK)
Thune (R-SD)
Tillis (R-NC)
*Toomey (R-PA)
*Vitter (R-LA)
Warner (D-VA)
Wicker (R-MS)
*Wyden (D-OR)

Those proponents of these ‘trade’ deals — which effectively sign away national sovereignty over product-safety, workers’ rights, consumer rights, and the environment — say that these deals are good because they ‘promote free trade’. Some of these Senators (mainly the Republicans on that list) also say they’re ‘against regulation’; so, preventing increase in any regulation is ‘good’ in their view.

Although there can be no reversing what they did, each one of them can be voted out of office (as was noted, 21 of them are even up for re-election on November 8th), which will not be able to prevent that Senator from voting during the subsequent session, the “lame duck,” to pass into law the TPP treaty, but which *will* make clear to each one of the 40 Senators who *didn’t* join them on 23 June 2015, that they’ll need to be *in the Senate and voting against* the TPP when it comes up for final passage. At that time, an additional 11 Senators (*beyond* those 40) will be needed in order to defeat the TPP. Perhaps there will be enough of the original 60 who haven’t yet been voted out of office (on November 8th) so as to signal enough of the surviving 60 pro-TPP Senators that *unless they reverse themselves on TPP and vote against it*, they *too* might be voted out of office the next time they face their electorate. It will be a crucial Senate vote, especially for the 39 among the 60 pro-TPP-voters the previous time, who will be facing their own voters again either in 2018 or else in 2020, when their having voted in favor of TPP on 23 June 2015 might at that election-time be able to be used by their opponent, so as to unseat the Senator.

The situation, in other words, is not entirely hopeless for the future of the world. (E.g.: if TPP passes, then the Paris agreement to restrain global warming will be effectively dead, because it anticipates that regulations against global warming will increase.) Indeed, even Yerxa (the top NFTC lobbyist) said that on an equally tight contested international ‘trade’ treaty in the past, “If people had wanted to hold it up they could’ve ran out the clock, it’s just that we got an agreement from the leadership and everyone else in the senate to get it out of committees and get it out on the floor before the end of the lame-duck session.”

Furthermore, the World Trade Online article stated:

NFTC and other business groups are currently and will continue to lobby both

Democratic and Republican members of Congress to support the trade agreement, Yerxa said, although he does not expect a “huge shift” in where members stand on trade between now and a potential TPP vote. [Anyway, all that will be needed in order to attain final passage will be 50 Senators voting “Yea,” and Vice President Biden would then cast the deciding 51st vote to put it over the top. So, merely to hold 50 of those Senate “Yea”s would eke out a win for the President, on this his key legacy matter.] Instead, Yerxa characterized NFTC’s and the business community’s lobbying efforts [as being] a “long-term investment” that would pay off once TPP comes up for a vote.

By “long-term investment” is meant that to buy a member of Congress is precisely that: it’s advance payment, for services that are expected to be delivered in the future. What’s crucially important here is that recent U.S. Supreme Court decisions (almost exclusively by Republican judges) have ruled that only “*quid pro quo*” deals between U.S. officials, and political donors to them, are prosecutable. In other words, the judges say that, unless there is some sort of demonstrable contract that buys and sells the desired governmental action, nothing illegal has occurred. In order to be legal, the only thing that’s now required is to keep the deal secret.

What this means is that pulling some of those 60 Senators away from “Yea” to “Nay” on that crucial day, will be difficult, but not necessarily impossible if enough of those 21 who are up for re-election (out of the 60) get defeated on November 8th. Maybe each one of those 60 Senators was able to be bought on 23 June 2015, but still that doesn’t necessarily mean he or she will stay bought, on this crucial sale, *during the lame-duck session*. (They have, after all, made *other* sales, too, not *only* TPP, and they’ll want to stay around to deliver on them, *too*. TPP is not *yet*, quite, a “done deal.” But only if voters November 8th vote unequivocally against anyone who voted for it, can it be defeated. Basically, Yerxa was saying: that’s not likely. And he wields big bucks to help his Senators keep their seats.)

Incidentally: [Hillary Clinton did support TPP — and strongly — when it really mattered.](#)

Investigative historian **Eric Zuesse** is the author, most recently, of [They’re Not Even Close: The Democratic vs. Republican Economic Records, 1910-2010](#), and of [CHRIST’S VENTRILOQUISTS: The Event that Created Christianity](#).

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